



U.S. Department of Justice

*United States Attorney
Southern District of New York*

MEMO ENDORSED

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

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December 2, 2022

By ECF AND EMAIL

The Honorable Valerie E. Caproni
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

**Re: *United States v. Kareem Martin*
S2 14 Cr. 546/ 22 Cv. 305 (VEC)**

Dear Judge Caproni:

The Government writes to respectfully request a 30-day adjournment of the Government's deadline of December 5, 2022 to respond to defendant Kareem Martin's motion pursuant to 28 U.S.C. § 2255 to vacate, set aside or correct his sentence (the "Motion"). Martin is currently serving a 22-year sentence of imprisonment arising from his convictions in this case. Separately, Martin is also serving a 40-year sentence of imprisonment arising from his convictions for two carjackings resulting in death, a portion of which is consecutive to the sentence in this case.¹

This Court initially construed the Motion as a successive § 2255 motion and transferred it to the Second Circuit Court of Appeals, because this Court had already denied the defendant's first § 2255 motion by order entered in November 2021. (14 Cr. 546, Dkt. No. 698). However, the Court of Appeals reinstated the Motion because the time for appeal on his first motion had not expired and thus it ruled it was not in fact a second and successive § 2255 motion. The Mandate recently issued on November 14, 2022. (14 Cr. 546, Dkt. No. 723). Because of the

¹ According to the BOP's inmate locator, Martin is due to be released, assuming good time credits, on January 8, 2057.

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unique procedural posture of this matter, and the absence of any prejudice to Martin who is also separately serving a 40-year sentence, the Government requests an additional 30 days to responds to the Motion. This is the Government's second adjournment request.

Respectfully Submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s
Eli J. Mark/ Gina Castellano
Assistant United States Attorneys
Southern District of New York
(212) 637-2431/2224

cc: Kareem Martin (by Mail)
Reg. No. 71374-054
FTC Oklahoma City
Federal Transfer Center
P.O. Box 898801
Oklahoma City, OK 73189

Application GRANTED. The deadline for the Government to respond is hereby extended from Monday December 5, 2022 until **Wednesday, January 4, 2023**. The deadline for Mr. Martin to file any reply is extended from Thursday, January 5, 2023 until **Monday, February 6, 2023**. The Clerk of Court is respectfully directed to mail a copy of this Order to Mr. Martin.

SO ORDERED.

 12/02/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE